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*Pro Bono Counsel Referred  
via the Legal Aid Center of Southern Nevada*  
for Plaintiff HYRUM JOSEPH WEST

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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HYRUM JOSEPH WEST,	)	
	)	2:13-cv-00271-APG-VCF
Plaintiff,	)	
	)	<b><u>STIPULATION TO EXTEND TIME</u></b>
v.	)	<b><u>TO FILE SUPPLEMENTAL</u></b>
	)	<b><u>OPPOSITION AND SUPPLEMENTAL</u></b>
NYE COUNTY, <i>et al.</i> ,	)	<b><u>REPLY TO MOTION FOR</u></b>
	)	<b><u>SUMMARY JUDGMENT</u></b>
Defendants.	)	(Second Request)

**ORDER**

IT IS HEREBY STIPULATED by and between Angela H. Dows, Esq., counsel for Plaintiff HYRUM JOSEPH WEST, and Craig R. Anderson, Esq., and Jonathan B. Lee, Esq., counsel for Defendants NYE COUNTY, *et al.*, that the dates for: (1) Plaintiff HYRUM JOSEPH WEST to file his supplemental opposition be extended for ninety (90) days from the current deadline of May 20, 2019. This is the second stipulation filed in the matter to continue the deadlines for the supplemental opposition and reply, and is entered into for the following reasons:

1. Plaintiff's Motion for the Issuance of Subpoenas is currently set to be heard on May 20, 2019, which is also the due date for the supplements to the motion for summary judgment [ECF No. 108.]

2. Plaintiff also has a pending Motion to Compel that was fully briefed as of May 8, 2019. [ECF No. 102, 104, 109.]
3. Counsel are confident that the due date for the supplements will be moved in light of the hearing on the Motion for Issuance of Subpoenas, and this stipulation is alternatively an indication of the parties' timeline request for the new due date on supplementation to the motion for summary judgment.
4. The motion to extend potentially impacts the evidence in the instant case, including arguments or additional discovery potentially having a bearing on the pending motion for summary judgment.
5. That without a continuance of the supplemental opposition and reply, then important issues in the case may be undetermined prior to the ruling of a potentially dispositive motion in the case.
6. That Plaintiff HYRUM JOSEPH WEST is currently incarcerated, and does not object to the subject brief continuance.
7. The additional time requested herein is being sought in good faith not sought for purposes of delay, but merely to allow the parties adequate time to have the necessary issues reviewed related to additional discovery in the case.

DATED this 10th day of May, 2019.

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MARQUIS AURBACH COFFING  
By: /s/ Craig R. Anderson  
CRAIG R. ANDERSON, ESQ.  
By: /s/ Jonathan B. Lee  
JONATHAN B. LEE, ESQ.  
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*Counsel for Defendants*

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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HYRUM JOSEPH WEST,	)	
	)	2:13-cv-00271-APG-VCF
Plaintiff,	)	
	)	<b><u>FINDINGS OF FACT,</u></b>
v.	)	<b><u>CONCLUSIONS OF LAW, AND</u></b>
	)	<b><u>ORDER THEREON</u></b>
NYE COUNTY, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**FINDINGS OF FACT**

Based on the pending Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. The Court's ruling on Plaintiff's Motion for the Issuance of Subpoenas [ECF No. 99] may ultimately result in additional discovery or briefing in the case, all of which could have an impact upon dispositive issues, including Defendants' pending motion for summary judgment.
2. Additionally, additional time is required in order to obtain a ruling on Plaintiff's Motion to Compel, and act in accordance therewith. [ECF No. 102, 104, 109.]
3. That Plaintiff HYRUM JOSEPH WEST is incarcerated, and does not object to the subject continuance.

1           4.       The additional time requested herein is not sought for purposes of delay, but  
2 merely to allow the parties to resolve an important discovery issue in the instant case, taking into  
3 account the exercise of due diligence.

4           5.       Additionally, denial of this request for a continuance could result in the  
5 miscarriage of justice without resolving the instant discovery dispute prior to concluding  
6 dispositive motion briefing.

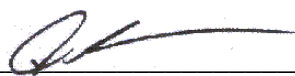
7  
8                               **CONCLUSIONS OF LAW**

9           The additional time requested by this stipulation is sought in good faith not sought for  
10 purposes of delay, but instead to allow the parties adequate time to work through a discovery  
11 matter, taking into account the exercise of due diligence. For all of the above-stated reasons, the  
12 ends of justice would best be served by a brief continuance of the supplemental opposition and  
13 supplemental reply to Defendants' motion for summary judgment.

14                               **ORDER**

15           IT IS THEREFORE ORDERED that the previously-scheduled deadline of May 20, 2019  
16 for Plaintiff HYRUM JOSEPH WEST to file his supplemental opposition to Defendants' motion  
17 for summary judgment is extended to ninety (90) days, or to on or before  
18 August 22, 2019.

19           IT IS FURTHER ORDERED that Defendants' supplemental reply be extended to  
20 fourteen (14) days after the filing of Plaintiff's supplemental opposition to Defendants' motion  
21 for summary judgment.  
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25                                 
26                               UNITED STATES DISTRICT JUDGE  
27                               Dated: May 10, 2019.  
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